

S. B. No. 216, A bill to be entitled "An Act to amend Article 5550, Revised Civil Statutes of Texas, 1925, providing for causes to be docketed in judicial proceedings in cases of lunacy and providing that the County or District Attorney shall appear and represent the State on the hearing and the defendant shall be entitled to counsel and providing that in proper cases the County Judge may appoint counsel for that purpose and to add a provision under the terms of which the County Judge may allow in proper cases a fee to the counsel appointed to represent the defendant, repealing all laws in conflict herewith; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

NEAL, Vice-Chairman.

Committee Room,

Austin, Texas, Feb. 8, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

S. B. No. 219, A bill to be entitled "An Act creating a more efficient special road law for Van Zandt County, Texas."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SPEARS, Chairman.

Committee Room,

Austin, Texas, Feb. 9, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 23 carefully examined and compared and find same correctly enrolled.

WESTERFELD, Chairman.

TWENTIETH DAY.

(Wednesday, February 10, 1937.)

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin.
Brownlee.
Burns.
Collie.
Cotten.
Davis.
Head.
Hill.
Holbrook.
Isbell.
Lemens.
Moore.
Neal.

Nelson.
Newton.
Oneal.
Pace.
Rawlings.
Redditt.
Roberts.
Stone.
Sulak.
Weinert.
Westerfeld.
Winfield.

The following Senators were absent and excused:

Beck.
Shivers.
Small.

Spears.
Van Zandt.
Woodruff.

The invocation was offered by the Chaplain.

Reading of the Journal of the proceedings of yesterday was dispensed with, on motion of Senator Aikin.

Leaves of Absence Granted.

Senator Small was granted leave of absence for today and the remainder of the week, on account of important business, on motion of Senator Moore.

Senator Woodruff was granted leave of absence for today, on account of important business, on motion of Senator Moore.

Senators Shivers and Beck were granted leave of absence for today, on account of important business, on motion of Senator Burns.

Senators Van Zandt and Spears were granted leave of absence for today, on account of important committee work, on motion of Senator Cotten.

Reports of Standing Committees.

Reports on House Bills Nos. 88, 268, 276, 89, 33, and 394 were submitted by the chairmen of the several committees to which they were referred. (See appendix for reports in full.)

Senate Bills on First Reading.

The following Senate bills were introduced, read severally first time, and referred to appropriate committees as indicated:

By Senator Collie:

S. B. No. 232, A bill to be entitled "An Act to amend Article 498, Chap-

ter 8, Title 16 of the Revised Civil Statutes of Texas, 1925, relating to fidelity bonds of certain officers and employees of state banking institutions; providing that fidelity insurance policies carried by any bank may be accepted in lieu of such bond or bonds; repealing laws in conflict therewith, and declaring an emergency."

Referred to Committee on Banking.

By Senator Collie:

S. B. No. 233, A bill to be entitled "An Act amending Section 22 of Senate Bill No. 111, Chapter 61, passed at the Second Session of the Forty-first Legislature, regulating building and loan associations with respect to bonds of officers and employees of building and loan associations; providing that fidelity insurance policies carried by any association may be accepted in lieu of such bond or bonds; repealing laws in conflict therewith, and declaring an emergency."

Referred to Committee on Banking.

By Senator Collie:

S. B. No. 234, A bill to be entitled "An Act to amend Section 8, of Senate Bill 165, Chapter 165, passed by the forty-second Legislature, and all amendments thereof with respect to bonds of officers; providing that such bonds may not be required where the corporation carries fidelity insurance as to such officers or employees; repealing laws in conflict therewith, and declaring an emergency."

Referred to Committee on Banking.

By Senator Collie:

S. B. No. 235, A bill to be entitled "An Act amending Sections 4 and 7 of Senate Bill 165, Chapter 165, passed by the Forty-second Legislature, at its regular session; repealing all laws and parts of Laws in conflict herewith; providing that if any part of this bill be held invalid, same shall not affect the remainder hereof; and declaring an emergency."

Referred to Committee on Banking.

By Senator Lemens:

S. B. No. 236, A bill to be entitled "An Act to repeal Section 17 of Article 8308, Revised Civil Statutes of 1925, relative to compensation in-

surance, and declaring an emergency."

Referred to Committee on Insurance.

By Senator Lemens:

S. B. No. 237, A bill to be entitled "An Act amending Article 8308, Revised Civil Statutes of the State of Texas of 1925, by adding a new section thereto, to be designated Sec. 21a; relative to compensation insurance, and declaring an emergency."

Referred to Committee on Insurance.

By Senator Winfield:

S. B. No. 238, A bill to be entitled "An Act to amend Chapter 7 of the Acts of the First Called Session of the Forty-third Legislature, by changing the classification of counties eligible under said act, by enlarging the duration of the period in which county-wide taxes may be levied hereunder, authorizing and validating all actions heretofore taken by commissioners' courts, county officials, counties and school district officials in counties affected hereunder, and authorizing and validating all county-wide school taxes heretofore levied by virtue of said act, and declaring an emergency."

Referred to Committee on Educational Affairs.

By Senator Aikin:

S. B. No. 239, A bill to be entitled "An Act amending Sections 4, 7, 9, 10, 11, 14 and 22 of the Acts of the Forty-first Legislature, 1929, page 648, Chapter 290, and adding Sections 7a and 7b thereto; the amendment of Section 4 providing that the independent school district or city that has assumed control of its schools or where the same has been organized as a junior college district has an independent entity which is governed, administered and controlled by and under the direction of the board of education of such district or city, and conferring upon said board of education of said junior college district the rights, powers, privileges and duties imposed upon trustees of independent school districts by the General Laws of the State of Texas in so far as they may be applicable and not inconsistent with this Act; the amendment of Section 7 providing that the taxes levied for junior college purposes shall be

based on the valuation fixed by the board of equalization of the district, providing further that if no taxes have been assessed and equalized in said district at the time of issuance of such bonds, then the basis shall be the valuation in the independent school district if its boundaries are the same as the junior college district, or if its boundaries are not the same on the basis of the valuation fixed by the commissioners' court as a board of equalization in such county within the limits of such district; adding Section 7a providing for the manner of assessing and collecting taxes in such junior college districts, providing for a board of equalization and the manner of equalizing taxes; adding Section 7b providing alternative plans in the assessment and collection of taxes in such district and providing the manner of making the assessment, equalization and collection of such taxes under such alternative plans; amending Section 9 by providing that a copy of the order making such levy shall be delivered to the assessor and collector of taxes of the district or such other agency as may be entrusted with that duty; amending Section 10 by providing for the furnishing of reports of taxes collected and depositing the same with the treasurer of the junior college district where the same is a separate entity or to the independent school district, or city, where such junior college is operated by the independent school district, or the city; amending Section 11 by providing that the bond of the assessor and collector of taxes shall be fixed by the board of education of the junior college district and further providing for the selection of a depository for such district; etc., and declaring an emergency."

Referred to Committee on Educational Affairs.

By Senators Isbell, Weinert and Winfield:

S. B. No. 240, A bill to be entitled "An Act amending Article 2525, R. C. S. of Texas 1925, as amended by Chapter 89, Acts First Called Session, Forty-third Legislature, Article 2526 R. C. S. of Texas, 1925, Article 2527, R. C. S. of Texas, 1925, Article 2528, R. C. S. of Texas, 1925, as amended by Chapter 89, Acts First Called Session, Forty-third Legislature, Ar-

ticle 2529, R. C. S. of Texas, 1925, Article 2530, R. C. S. of Texas, 1925, Article 2531, R. C. S. of Texas, 1925, Article 2532, R. C. S. of Texas, 1925, Article 2533, R. C. S. of Texas, 1925, as amended by Chapter 89, Acts First Called Session, Forty-third Legislature, Article 2534, R. C. S. of Texas, 1925, Article 2535, R. C. S. of Texas, 1925, Article 2537, R. C. S. of Texas, 1925, as amended by Chapter 89, Acts First Called Session, Forty-third Legislature; repealing all laws and parts of laws in conflict and expressly repealing Article 2539, R. C. S. of Texas, 1925, as amended by Chapter 89, Acts First Called Session, Forty-third Legislature; and declaring an emergency."

Referred to Committee on Banking.

By Senators Burns and Holbrook:

S. B. No. 241, A bill to be entitled "An Act amending Sections 11 and 14 of Chapter 13, Acts Fourth Called Session, Forty-first Legislature, setting aside a certain amount of money, royalty, bonuses, and rentals for the prison system for the purpose of making permanent improvements, and declaring an emergency."

Referred to Committee on Finance.

By Senator Brownlee:

S. B. No. 242, A bill to be entitled "An Act repealing section 11 of Article 7152, Title 122 of the Revised Civil Statutes of Texas, adopted at the Regular Session of the Thirtieth Legislature, and declaring an emergency."

Referred to Committee on Agriculture.

Senate Resolution No. 28.

Senator Lemens offered the following resolution:

Resolved by the Senate of the Forty-fifth Legislature of the State of Texas, that a committee of three Senators be appointed to investigate and make a report back to this Senate, like or similar to the one found on page 821 of the permanent Senate Journal of the Regular Session of the Forty-third Legislature relative to the customary block picture of Senate of the Forty-fifth Legislature.

(Signed) Lemens, Brownlee, Isbell, Winfield, Davis, Stone, Neal, Small, Woodruff and Newton.

The resolution was read and was adopted.

**Senate Bill No. 188 on
Second Reading.**

The President laid before the Senate, on its second reading and passage to engrossment:

S. B. No. 188, A bill to be entitled "An Act validating and legalizing bonds issued by counties for the construction of roads within such counties and the levy of taxes for payment of such county bonds; authorizing the assessment and collection of general ad valorem taxes in all such counties for the payment of such county bonds now outstanding or hereafter issued; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill No. 188 on
Third Reading.**

Senator Hill moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that S. B. No. 188 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25.

Aikin.	Nelson.
Brownlee.	Newton.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Rawlings.
Davis.	Redditt.
Head.	Roberts.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Weinert.
Lemens.	Westerfeld.
Moore.	Winfield.
Neal.	

Absent—Excused.

Beck.	Spears.
Shivers.	Van Zandt.
Small.	Woodruff.

The President laid S. B. No. 188 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25.

Aikin.	Burns.
Brownlee.	Collie.

Cotten.	Oneal.
Davis.	Pace.
Head.	Rawlings.
Hill.	Redditt.
Holbrook.	Roberts.
Isbell.	Stone.
Lemens.	Sulak.
Moore.	Weinert.
Neal.	Westerfeld.
Nelson.	Winfield.
Newton.	

Absent—Excused.

Beck.	Spears.
Shivers.	Van Zandt.
Small.	Woodruff.

**Senate Bill No. 219 on
Second Reading.**

The President laid before the Senate, on its second reading and passage to engrossment:

S. B. No. 219, A bill to be entitled "An Act creating a more efficient special road law for Van Zandt County, Texas, and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill No. 219 on
Third Reading.**

Senator Pace moved that the constitutional rule requiring bills to be read on three several days be suspended, and that S. B. No. 219 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25.

Aikin.	Nelson.
Brownlee.	Newton.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Rawlings.
Davis.	Redditt.
Head.	Roberts.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Weinert.
Lemens.	Westerfeld.
Moore.	Winfield.
Neal.	

Absent—Excused.

Beck.	Spears.
Shivers.	Van Zandt.
Small.	Woodruff.

The President then laid S. B. No. 219 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25.

Aikin.	Nelson.
Brownlee.	Newton.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Rawlings.
Davis.	Redditt.
Head.	Roberts.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Weinert.
Lemens.	Westerfeld.
Moore.	Winfield.
Neal.	

Absent—Excused.

Beck.	Spears.
Shivers.	Van Zandt.
Small.	Woodruff.

House Bill No. 218 on Second Reading.

The President laid before the Senate, on its second reading and passage to a third reading:

H. B. No. 218, A bill to be entitled "An Act to amend H. B. No. 423, Acts of the Forty-fourth Legislature, Regular Session, by providing that Limestone, Robertson and Milam Counties be excepted from the provisions of said bill, and declaring an emergency."

The bill was read second time and was passed to a third reading.

House Bill No. 218 on Third Reading.

Senator Stone moved that the constitutional rule requiring bills to be read on three several days be suspended, and that H. B. No. 218 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25.

Aikin.	Davis.
Brownlee.	Head.
Burns.	Hill.
Collie.	Holbrook.
Cotten.	Isbell.

Lemens.	Redditt.
Moore.	Roberts.
Neal.	Stone.
Nelson.	Sulak.
Newton.	Weinert.
Oneal.	Westerfeld.
Pace.	Winfield.
Rawlings.	

Absent—Excused.

Beck.	Spears.
Shivers.	Van Zandt.
Small.	Woodruff.

The President then laid H. B. No. 218 before the Senate on its third reading and final passage.

The bill was read third time.

On motion of Senator Stone, it was ordered that the bill lie on the table subject to call.

House Bill No. 245 on Second Reading.

The President laid before the Senate, on its second reading and passage to a third reading:

H. B. No. 245, A bill to be entitled "An Act to declare a closed season on the killing of deer and turkey in Throckmorton and Shackelford Counties for a period ending February 1, 1941, prescribing a penalty therefor, and declaring an emergency."

The bill was read second time.

Senator Burns offered the following amendment to the bill:

Amend H. B. No. 245, by adding Walker County.

The amendment was adopted.

The bill was passed to third reading.

Resolutions Signed.

The President signed in the presence of the Senate, after giving due notice thereof, the following enrolled resolutions:

S. C. R. No. 16, Opposing the ratification by the United States Senate of the Argentine Sanitary Convention, or any measure which proposes to change the present regulations governing importations of live animals and fresh meats from any country which harbors foot and mouth diseases.

Amended Rules Ordered Printed.

Senator Rawlings asked unanimous consent of the Senate that those rules of the Senate which were amended by the provisions of Senate Resolutions Nos. 3 and 17 be printed and that the Chairman of the Committee on Rules be authorized to edit the manuscript of the rules to be printed and to insert therein the proper subject headings.

There was no objection offered, and it was so ordered.

Senate Bill No. 231 Re-referred.

On motion of Senator Pace, S. B. No. 231 was re-referred from the Committee on Public Lands and Land Office to the Committee on State Affairs.

Adjournment.

On motion of Senator Pace, the Senate, at 10:35 o'clock a. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.**Reports of Standing Committees.**

Committee Room,

Austin, Texas, Feb. 10, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 394, A bill to be entitled "An Act amending Section 2, House Bill 327, Chapter 350, General Laws of the Forty-fourth Legislature, Regular Session, as amended by Senate Bill No. 58, Chapter 421, of the First Called Session of the Forty-fourth Legislature, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

COTTEN, Chairman.

Committee Room,

Austin, Texas, Feb. 10, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 33, A bill to be entitled "An Act to prohibit the taking of fish in Kimble, Kerr, Edwards, Real, Sut-

ton, Bandera, Mason, Menard, Blanco, Llano, Kendall, or Gillespie Counties with any device equipped with more than two (2) hooks, except artificial bait used with a rod and reel and excepting a twenty (20) foot minnow seine for the purpose of taking minnows for bait; providing size limits and bag limits for fish taken in said Counties; providing a closed season from January 1st to May 1st; prohibiting the sale of any fresh water fish in said Counties; providing a penalty for any violation of this Act; repealing all General or Special Laws, in so far as they conflict with this Act; excepting any portion of Medina Lake from the provisions of this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Committee Room,

Austin, Texas, Feb. 10, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 89, A bill to be entitled "An Act making it unlawful to take or kill wild deer or wild turkey in the Counties of Harrison, Marion, Cass, or Bowie for a period of five (5) years; prescribing penalty for violation of this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Committee Room,

Austin, Texas, Feb. 10, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 276, A bill to be entitled "An Act making it unlawful to kill quail in Garza County, Texas; providing the Act shall be in force for a period of two (2) years; repealing all laws in conflict; providing a penalty for the violation of this Act; and declaring an emergency."

Have had the same under consideration, and I am instructed to re-

port it back to the Senate with the recommendation that it do pass and be not printed.

Committee Room,
Austin, Texas, Feb. 10, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 268, A bill to be entitled "An Act making it unlawful to kill squirrels in Angelina and Tyler Counties, Texas, during the month of July; declaring it unlawful for any person to kill, take, or have in his possession for purpose of sale any wild fox or the pelts thereof; providing that this law shall be in force for a period of two (2) years; prescribing a penalty for the violation of the provisions of this Act; repealing all laws in conflict, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Committee Room,
Austin, Texas, Feb. 10, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 88, A bill to be entitled "An Act creating a closed season upon certain fish in Harrison and Marion Counties, Texas, and making it unlawful to in anywise take or catch such fish during such closed season, or to have such fish in possession during such closed season; prescribing such penalty for violation of this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Committee Room,
Austin, Texas, Feb. 10, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 188 carefully examined and compared and find same correctly engrossed.

ROBERTS, Chairman.

Committee Room,
Austin, Texas, Feb. 10, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 219 carefully examined and compared and find same correctly engrossed.

ROBERTS, Chairman.

TWENTY-FIRST DAY.

(Thursday, February 11, 1937)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Alkin.	Oneal.
Beck.	Pace.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Roberts.
Head.	Shivers.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Weinert.
Moore.	Westerfeld.
Neal.	Winfield.
Nelson.	Woodruff.
Newton.	

The following Senators were absent and excused:

Brownlee.	Small.
Burns.	Spears.

A quorum was announced present. The invocation was offered by the Chaplain.

Reading of the Journal of the proceedings of yesterday was dispensed with, on motion of Senator Roberts.

Leaves of Absence Granted.

Senators Brownlee, Burns and Spears were granted leaves of absence for today, on account of important business, on motion of Senator Neal.

Reports of Standing Committees.

Reports on S. B. No. 174, S. B. No. 193, S. B. No. 200, H. B. No. 232, H. B. No. 238, and H. B. No. 343 were submitted by the chairmen of the several committee to which they were referred. (See Appendix for reports in full.)